## III. REMARKS

1. Claims 32-54 remain in the application. Claims 1-31 have been cancelled without prejudice. Claims 32, 38, 43, 48, 50, and 53 have been amended.

2. Claims 32-35, 37-40, 42-44, 46-50, 53, and 54 are patentably distinct from claims 1-4, 7, and 8 of co-pending Application No. 10/033,151.

Applicants note that contrary to statements in the present Office Action, co-pending Application No. 10/033,151 currently includes claims 1-26. Claims 2-4, 7, and 8 depend from claim 1. Claim 1 of co-pending Application No. 10/033,151 is directed to a method for administering digital collectible trading cards in a cellular mobile communication network. The method includes:

> identifying a user of a cellular mobile phone in the communication network from subscriber identity information of the user in the cellular mobile communication network, the user entering the cellular mobile communication network using the cellular mobile phone and the subscriber identity information; and
>
> associating a digital collectible trading card with the user based on the subscriber identity information of the user in the cellular mobile communication network received from the cellular mobile phone.

In contrast, claim 32 of the present application is directed to a first mobile terminal for trading a digital collectable card associated with a user of the first mobile terminal. The first mobile terminal includes:

> means for detecting whether a second mobile terminal is available for trading the digital collectable card; and
>
> a short-range wireless communication transceiver for directly communicating with the second mobile terminal for trading the digital collectable card.

Thus, the claims of the present application are directed to different subject matter than those of co-pending Application No. 10/033,151. Claim 1 of the co-pending application recites identifying a mobile phone user from subscriber identity information, and associating a digital trading card based on the information. Claim 32 of the present application recites means for detecting whether a second mobile terminal is available for trading a digital collectable card, and a short-range wireless communication transceiver for directly communicating with the second mobile terminal for trading the digital collectable card.

Using subscriber identity information to identify a mobile phone user and to associate a digital trading card is clearly different from a means for detecting a second mobile terminal and a short-range wireless communication transceiver for directly communicating with the second mobile terminal.

3. Contrary to the claim objections, claim 41 does not reiterate "means for detecting whether a second mobile terminal is available for trading." Claim 41 recites "means for determining whether another digital collectable card is available," and thus does limit the subject matter of claim 32 and is in proper dependent form under 37 CFR 1.75(c).

4. Claims 32 and 50 have been amended to overcome the claim objections. Applicants note that according to Dictionary.com "collectable" and "collectible" are both acceptable spellings. Applicants have amended the claims to use "collectable" for consistency.

5. The 35 USC 112, second paragraph rejection cites claims 52 and 53. As best understood by the Applicants, the rejection should refer to claim 53 which has been amended to overcome the rejection.

6. Applicants respectfully submit that claims 32, 35, 36, 38, 41-45, 48-50, 53, and 54 are patentable over the combination of Sehr (US 6,325,292) and "Lovegety" (www6.cnn.com/WORLD/asiapcf/9806/07/fringe/japan.lovegety/) under 35 USC 103(a).

The combination of Sehr and Lovegety fails to disclose or suggest a means for detecting whether a second mobile terminal is available for trading the digital collectable

card, and a short-range wireless communication transceiver for directly communicating with the second mobile terminal for trading the digital collectable card, as recited by claim 32.

The combination of Sehr and Lovegety also fails to disclose or suggest communicating within an operational range of short range wireless communications directly between the first and second terminals for trading the digital collectable card, as recited by claim 43.

The combination of Sehr and Lovegety also fails to disclose or suggest a first mobile terminal having a user associated with a first card of the plurality of digital collectable cards, a second mobile terminal having a second user, the second mobile terminal being capable for associating the second user with the first card, the second mobile terminal operable to determine if the first mobile terminal is in the vicinity of the second mobile terminal, wherein the first and second mobile terminals both comprise a short-range wireless communication transceiver for directly communicating between the first and second mobile terminals for trading the first card, as recited by claim 50.

Sehr discloses a card system that includes a card issuer entity, a plurality of service providers, and a number of portable collector cards realized as hardware with smart card technology. Sehr includes methods for facilitating a plurality of services via the portable card device, including storing collectable information, security data, and other information in the collectable card, loading monetary values and electronic payment forms in the card, issuing and using the card for enjoyment and other services, and for purchases of goods and services, rendering the service requested and clearing the payments made via the card, and communicating card data and related service information among the system entities.

Sehr describes the collector card 11 in column 5, line 43 onward, but this is clearly different from the first and second mobile terminals of the present claims because the collector card does not detect a second mobile terminal at all. Thus, the collector card clearly does not detect whether a second mobile terminal is available for trading a collectable card. In addition, Sehr has no disclosure related to communicating directly

between the first and second terminals for trading the digital collectable card. All trading is conducted by the card station, the card issuer, service provider, or card service center 30, and never between terminals.

Furthermore, Sehr is incapable of trading digital collectable cards among terminals. Sehr's collector card is a separate hardware device and thus must be physically transferred to its owner and cannot be traded electronically among terminals. As such, Sehr can only transfer collectable information that is stored in the physical card itself and cannot actually trade the card among different terminals.

Lovegety discloses matchmaking devices where users enter matchmaking information and the devices scan for other devices with corresponding data within a short range. The device alerts a user if analogous data is found in a device located close by. Thus, Lovegety detects whether another Lovegety device is within a short range radio coverage area. However, Lovegety fails to disclose or suggest detecting whether a second mobile terminal is available for trading a digital collectable card. Furthermore, there is nothing in Lovegety related to communicating directly between first and second terminals for trading the digital collectable card.

Therefore, the combination of Sehr and Lovegety fails to render independent claims 32, 43, and 50 and dependent claims 35, 36, 38, 41, 42, 44, 45, 48, 49, 53, and 54 unpatentable.

With particular reference to claim 35, neither reference discloses or suggests a first mobile terminal with a means for detecting whether a second mobile terminal has a digital collectable card trading capability. As argued above, the collector card of Sehr has no terminal detection capability at all, and the Lovegety device does not detect a card trading capability.

With particular reference to claim 36, neither reference discloses or suggests a first mobile terminal with a means for detecting the availability of a particular digital collectable card in a second terminal. The collector card of Sehr cannot detect another terminal or the availability of a particular digital collectable card in another terminal. The

Lovegety device also has no capability to detect a card trading capability at all, let alone the availability of a particular digital collectable card in a second terminal.

7. Applicants respectfully submit that claims 33, 34, 37, 39, 40, 46, 47, 51, and 52 are patentable over the combination of Sehr and Lovegety in view of "Newton" (Newton's Telecom Dictionary 20th Updated and Expanded Edition) under 35 USC 103(a).

Claims 33, 34, 37, 39, 40, 46, 47, 51, and 52 depend from claim 32, 43, or 50.

Newton fails to disclose or suggest the features of the independent claims missing from the combination of Sehr and Lovegety, that is, a means for detecting whether a second mobile terminal is available for trading the digital collectable card, and a short-range wireless communication transceiver for directly communicating with the second mobile terminal for trading the digital collectable card, as recited by claim 32.

Newton also fails to disclose or suggest communicating within an operational range of short range wireless communications directly between the first and second terminals for trading a digital collectable card, as recited by claim 43.

In addition, Newton does not provide a first mobile terminal having a user associated with a first card of the plurality of digital collectable cards, a second mobile terminal having a second user, the second mobile terminal being capable for associating the second user with the first card, the second mobile terminal operable to determine if the first mobile terminal is in the vicinity of the second mobile terminal, wherein the first and second mobile terminals both comprise a short-range wireless communication transceiver for directly communicating between the first and second mobile terminals for trading the first card, as recited by claim 50.

Therefore, the combination of Sehr, Lovegety, and Newton fails to render claims 33, 34, 37, 39, 40, 46, 47, 51, and 52 unpatentable.

It is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for

allowance. Accordingly, favorable consideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

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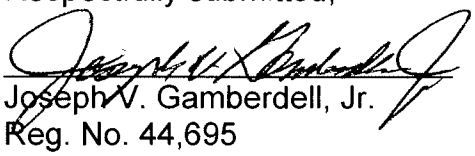
Respectfully submitted,



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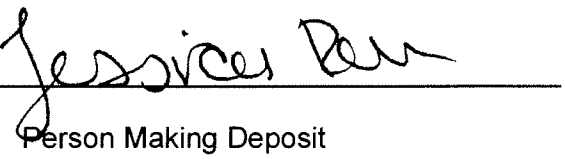
Signature: 

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